

REMARKS

This application has been reviewed in light of the Office Action dated January 23, 2006. Claims 1, 7-9, 15, 19-27, 30, 31, 37, 38, 43 and 47-49 are presented for examination. Claims 4, 6, 34 and 36 have been canceled, without prejudice or disclaimer of subject matter, and will not be mentioned further. Claims 1, 15, 21, 31, 37, 43 and 49 are in independent form, and those claims, as well as Claims 8, 30 and 38, have been amended to define more clearly what Applicants regard as their invention. Favorable reconsideration is requested.

In the outstanding Office Action, Claims 1, 9, 15, 19-24, 27, 30, 31, 38, 43 and 47-49 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,658,196 (Sakai et al.), and Claims 7 and 25 were rejected under 35 U.S.C. § 103(a) as being obvious from that patent in view of U.S. Patent 5,559,562 (Fenster). In addition, Claims 8, 26 and 37 were rejected under Section 103(a) as being obvious from *Sakai* in view of U.S. Patent 5,974, 220 (Kajimoto).

Independent Claim 1 is directed to an apparatus for processing information data in a recording medium and playback description data indicating a playback procedure of the information data. The apparatus of Claim 1 comprises modified information data processing means, for newly generating modified information data by using part of the information data. Also provided are description data processing means, for modifying the playback procedure such that the modified information data are played back instead of the mentioned part of the information data, and modifying the content of the playback description data according to the modified playback procedure. (According to Claim 1, the playback description data comprises playback time information indicating a playback start time or a playback end time of the information data.) The description data processing

means change the playback start time or the playback end time according to a playback time of the modified information data, and generate restoration time information indicating an amount of change of the playback start time or the playback end time and add the restoration information to the playback description data. Also provided in the apparatus are deleting means, for deleting the modified information data from the recording medium in response to a deletion instruction. Also, according to Claim 1, the description data processing means restore the playback procedure such that the mentioned part of the information data is played back instead of the modified information data in response to the deletion instruction of the modified information data, and the description data processing means change the playback start time or the playback end time according to the restoration information, to restore the playback time information.

Among other notable features of the apparatus of Claim 1, therefore, is that the apparatus is constructed to restore a playback procedure in response to a deletion instruction of modified information data, and to change a playback start time or a playback end time according to restoration information, to restore playback time information

In contrast, Applicant submits that nothing has been found in *Sakai* that would provide an arrangement capable of deleting modified information data at all. Moreover, *Sakai* also does not suggest the concept of restoring a playback procedure in response to a deletion instruction of the modified information data. Much less does that patent teach or suggest any means for performing either of those functions. *Sakai* provides an editing apparatus in which first (X1) and second (X2) video signals are merged to generate a combined video signal for a transition from the first video signal to the second video signal during a predetermined transition period T and a predetermined transition mode. See Fig. 4 of *Sakai*, for example. Even if *Sakai* stores cuts X1 and X2, and

management data about the cuts, for the transition periods and a transition mode associated with a special effect, that would not suggest either deleting modified information, much less of restoring a playback procedure in response to a deletion instruction of the modified information data.

For at least these reasons, Applicant submits that Claim 1 is allowable over *Sakai*.

Independent Claim 15 is directed to an apparatus for processing playback description data containing an information data object having playback time information indicating a playback start time or a playback end time of the information data recorded in a recording medium, designating a playback operation of the information data and indicating a playback procedure of the information data. The apparatus of Claim 15 comprises instruction means for modifying the playback procedure such that modified information data generated by using part of the information data is played back instead of that part of the information data. Also provided are recording means for recording the modified information data in the recording medium, and description data processing means, for changing the playback start time or the playback end time indicated by the playback time information of the information data object according to a playback time of the modified information data, and for adding restoration time information indicating an amount of change of the playback start time or the playback end time to the information data object. The description data processing means add, according to the modified playback procedure, a modified information data object designating a playback operation of the modified information data to the playback description data. Also provided are deleting means, for deleting the modified information data from the recording medium in response to a deletion instruction. The apparatus operates to delete the modified

information data object from the playback description data to restore the playback procedure such that the part of the information data is played back instead of the modified information data in response to the deletion instruction of the modified information data, and the description data processing means change the playback start time or the playback end time according to the restoration information to restore the playback time information.

Claim 15 is believed to be allowable over *Sakai* for reasons similar to those provided above with regard to Claim 1.

Independent Claim 21 is directed to a recording apparatus that comprises description data generating means, for generating playback description data indicating a playback procedure of a plurality of items of information data, and modified information data which is obtained by performing a modification processing on the information data, the modified information data having a section on which modification processing is not performed and a section on which modification processing is performed. Also provided are section information generating means, for generating section information indicating the section where the modified information data processing has been performed in the modified information data. Recording means are provided, for recording the playback description data and the section information on a recording medium.

According to Claim 21, the modified information data have a section on which modification processing is performed and a section on which modification processing is not performed. And section information indicating the section where the modification processing has been performed is generated in the modified information data.

Applicant notes the statement in the Office Action that “inside transition periods, data are modified while, outside transition periods, they are not”. However, in the apparatus of Claim 21, as noted, the modified information data have a section on which

modification processing is performed and a section on which modification processing is not performed. In contrast, according to *Sakai*, modification processing is performed on all the sections in modified information data X1 or X2, and there is no section on which the modification processing is not performed in the modified information data X1 and X2, unlike Claim 21.

For at least these reasons, Applicant also submits that Claim 21 is allowable over *Sakai*.

The other independent claims are method claims respectively corresponding to one or another of the apparatus claims discussed above, and are believed to be patentable for at least the same reasons as discussed above in connection with the latter claims.

A review of the other art of record, including *Ferster* and *Kajimoto*, has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as a reference against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

This Amendment After Final Action is believed clearly to place this application in condition for allowance and its entry is therefore believed proper under 37 C.F.R. § 1.116. In any event, however, entry of this Amendment After Final Action, as an earnest effort to advance prosecution and reduce the number of issues, is respectfully requested. Should the Examiner believe that issues remain outstanding, the Examiner is

respectfully requested to contact Applicant's undersigned attorney in an effort to resolve such issues and advance the case to issue.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and allowance of the present application.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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